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PATENT

Customer Number: 22,852
Attorney Docket No. 04853.0074-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Kunio SHIOTA et al.) Group Art Unit: 1631
)
Application No.: 09/881,748) Examiner: John S. Brusca
)
Filed: June 18, 2001)
)
For: METHOD OF IDENTIFYING)
CELLS USING DNA)
METHYLATION PATTERNS)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed after the period specified in Section 1.97(c). Under the provisions of 37 C.F.R. § 1.97(d), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p) and includes a statement as specified by Section 1.97(e)(1).

The reference listed in this Information Disclosure Statement was first cited in a communication from the Japanese Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. A copy of the communication from the Japanese Patent Office dated April 13, 2004, is enclosed.

All but one of the documents cited in the communication were previously cited in an Information Disclosure Statement filed in this application on April 11, 2002. The previously uncited document is listed on the Form PTO 1449. A copy of this document is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 24, 2004

By: Danielle Pasqualone
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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	046-174-00000	Serial No.	09/881,748
Applicant	Kunio SHIOTA et al.		
Filing Date	June 18, 2001	Group:	1631

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Notice of Rejection from the Japanese Patent Office with a list of citations, dated April 13, 2004, in the counterpart Japanese Patent Application No. 2000-372954.
	Ohgane, Jun et al., "Analysis of CpG islands of trophoblast giant cells by restriction landmark genomic scanning," <i>Developmental Genetics</i> 22:132-140 (1998).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce